AN ORDINANCE of the City of Kent, Washington, regarding land use and zoning, establishing the zoning of the East Hill Community Well Annexation Area No. 2, Areas A, B, and C; Area A being generally located west and east of 100th Avenue S.E. and north and south of S.E. 244th Street from R1-20, Single Family Residential, to R1-9.6 west of 100th Avenue S.E., and R1-7.2 east of 100th Avenue S.E., and; Area B, generally located west and east of 100th Avenue S.E. and north and south of S.E. 244th Street, from R1-20, Single Family Residential, to O, Professional and Office, for that portion lying south of S.E. 244th Street and CC, Community Commercial, for that portion north of S.E. 244th Street; and, for Area C, generally located north of S.E. 256th, south of S.E. 240th, east of Area B, west of 116th Avenue S.E., from R1-20, Single Family Residential, to R1-9.6 for the area south of S.E. 252nd and R1-12 for the area north of S.E. 252nd excepting the existing development at Stratford Arms located at Tax Lot No. 202205-9022 which shall be MRM, Medium Density Multifamily.

WHEREAS, the property above described, known as the East Hill Well Community Annexation Area 2, Areas A, B, and C was annexed to the City under Ordinance No. 2721 and was automatically zoned R1-20, Single Family Residential, according to Kent City Code; and

WHEREAS, the Hearing Examiner determined to hold public hearings and issue findings, conclusions, and recommendations on first Areas A and B, then Area C; and

WHEREAS, on August 19, 1987, the Hearing Examiner held a public hearing to consider the rezone of Areas A and B described in Exhibit A, incorporated herein by this reference; and

WHEREAS, the Hearing Examiner recommended to the City Council that the property be rezoned from R1-20, Single Family Residential, to:
Area A 1. West of 100th Avenue S.E. (extended): Rl-9.6;
2. East of 100th Avenue S.E. (extended): Rl-7.2; and

Area B 1. O, Professional and Office, for that portion lying south of S.E. 244th Street;
2. CC, Community Commercial, for that portion north of S.E. 244th Street; and

WHEREAS, the City Council conducted public hearings on Areas A and B on November 17, 1987 and January 5, 1988; and

WHEREAS, on September 2, 1987, the Hearing Examiner held a public hearing to consider the rezone of Area C described in Exhibit A, incorporated herein by this reference; and

WHEREAS, the Hearing Examiner recommended to the City Council that the property be rezoned from Rl-20, Single Family Residential, to:

Area C 1. For the area west of 112th Avenue S.E. extended and north of S.E. 248th Street: Rl-7.2, Single Family Residential;

2. For the area south of S.E. 252nd Street extended Rl-7.2, Single Family Residential, except the 4.80 acre parcel known as Stratford Arms;

3. Stratford Arms including Tax Lot 281 to the east: MRM, Medium Density Multifamily Residential, allowing 23 units per acre (entire Stratford Arms site, including the undeveloped portions);

4. H. L. Bainton properties south of S.E. 248th Street, adjacent to former city boundary: MRG, Garden Density Multifamily Residential, maximum of six dwelling units per acre;
5. Property east of 112th Avenue S.E. (extended), north of S.E. 252nd (extended), except Bainton property: R1-9.6, Single Family Residential; and

WHEREAS, the Hearing Examiner also attached the following conditions to Area C recommendations:

1. If the H. L. Bainton property is not developed as proposed under the Walnut Park zero lot line plat, the property shall revert to R1-9.6;

2. The property will be deeded to provide the right-of-way widths for future street development prior to the issuance of a development permit; and

WHEREAS, the City Council conducted public hearings on Area C on January 19, 1988, and March 1, 1988; and

WHEREAS, William J. Carey appealed the Hearing Examiner's recommended zoning for the property located east of 112th Avenue S.E. (extended) to 114th Avenue S.E. approximately and north of S.E. 244th (extended); and

WHEREAS, a hearing was scheduled for January 19, 1988 to consider the Carey appeal but was continued at the request of the appellant for a hearing on March 1, 1988; and

WHEREAS, Michael Bergstrom appealed the Hearing Examiner's recommended zoning for the property located at 25219 113th Avenue S.E.; and

WHEREAS, a hearing was held on January 19, 1988, was continued and again heard on March 1, 1988; and

WHEREAS, considerable public testimony, and written documents were received on the appeals and the zoning designation for all areas, but particularly, Area C, calling for a single family zoning designation; and
WHEREAS, upon consideration of all documents and public testimony and the Hearing Examiner's findings, conclusions, and recommendations on all appeals and hearings, the Council took note of the significant amount of small lots in the area, of traffic problems, overcrowding of schools, and increased demands for fire protection and police protection; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The Findings, Conclusions, and Recommendations of the Hearing Examiner set forth in the East Hill Community Well Annexation Area No. 2, Areas A and B, Findings, Conclusions, and Recommendations of the Hearing Examiner for the City of Kent, which is on file with the Kent City Clerk, are hereby adopted and the findings are concurred with for these areas.

Section 2. Zoning for these areas, generally located north and south of S.E. 244th Street and west and east of 100th Avenue S.E. (extended) and legally described in Exhibit A, incorporated herein by this reference, King County, Washington, is hereby changed from R1-20, Single Family Residential, to:

Area A
1. West of 100th Avenue S.E. (extended): R1-9.6;
2. East of 100th Avenue S.E.: R1-7.2;

Area B
1. O, Professional and Office, for that portion lying south of S.E. 244th Street;
2. CC, Community Commercial, for that portion north of S.E. 244th Street.

Section 3. The Findings, Conclusions, and Recommendations of the Hearing Examiner set forth in the East Hill Community Well Annexation Area No. 2, Area C, Findings, Conclusions, and Recommendations of the Hearing Examiner for the City of Kent, which is on file with the Kent City Clerk, are hereby adopted as a part of this record and the Findings are concurred with to the extent compatible with the Council's decision herein, for Area C. The Recommendations are neither adopted nor concurred with.
Section 4. After public hearing and consideration of all matters and materials before it and in accordance with the conclusions for Area C, the Bergstrom appeal is denied and the area is zoned Single Family Residential with a minimum lot size of 9,600 square feet.

Section 5. After public hearing and consideration of all matters and materials before it and in accordance with the Conclusions for Area C, the Carey appeal is denied and the area is to be zoned Single Family Residential with a minimum lot size of 12,000 square feet.

Section 6. Zoning for the Area C site, generally located north of S.E. 256th, south of S.E. 240th, east of Area B, west of 116th Avenue S.E. and legally described in Exhibit A, incorporated herein by this reference, King County, Washington, is hereby changed from Rl-20, Single Family Residential, to:

1. North of S.E. 252nd: Rl-12;

2. South of S.E. 252nd: Rl-9.6; except Tax Lot 202205-9022

3. Tax Lot 202205-9022, an existing multifamily development site: MRM, Medium Density Multifamily.

Section 7. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and confirmed.

Section 8. Effective Date. This ordinance shall take effect and be in force five (5) days from and after its passage, approval and publication as provided by law.

DAN KELLEHER, MAYOR
ATTEST:

MARIE JENSEN, CITY CLERK

APPROVED AS TO FORM:

SANDRA DRISCOLL, CITY ATTORNEY

PASSED the __ day of March, 1988.
APPROVED the __ day of March, 1988.
PUBLISHED the __ day of March, 1988.

I hereby certify that this is a true copy of Ordinance No. __, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

(SEAL)

MARIE JENSEN, CITY CLERK
That portion of Sections 17, 19 and 20, Township 22 North, Range 5 East, W.M. King County, Washington described as follows:

Beginning at the Southwest corner of the Southeast quarter of the Southwest quarter of the Northeast quarter of said Section 19; thence North along the West line of the Southeast quarter of the Southwest quarter of the Northeast quarter of said Section 19, a distance of 30 feet to the True Point of Beginning; thence North along the East line of the West half of the Southwest quarter of the Northeast quarter of said Section 19, to the Northeast corner thereof; thence West along the South line of the Southwest quarter of the Northwest quarter of the Northeast quarter of said Section 19, to the Southwest corner of the West half of the Northwest quarter of the Northeast quarter of said Section 19, a distance of 15 feet; thence South parallel with the West line of the Northeast quarter of the Northwest quarter of the Northeast quarter of said Section 19; to the South Line of the South half of the North half of the Northeast quarter of the Northeast quarter of said Section 19, a distance of 30 feet to the True Point of Beginning; thence East along the North line of the Southeast quarter of the Northwest quarter of the Northeast quarter of said Section 19, to the Northeast corner of the South half of the North half of the Northeast quarter of said Section 19; thence East along the South line of the North half of the Southwest quarter of the Northeast quarter of said Section 19, to the Southwest corner of the South half of the North half of the Southwest quarter of the Northeast quarter of said Section 19, to a point on the West line of the Northeast quarter of the Northwest quarter of the Northeast quarter of said Section 19; thence North along the West line of the Northeast quarter of the Northeast quarter of said Section 19, to the North line of the Southeast quarter of the Northwest quarter of the Northeast quarter of said Section 19, thence East along the North line of the Southeast quarter of the Northwest quarter of the Northeast quarter of said Section 19, to the True Point of Beginning. That portion of the margin of 116th Ave SE 240th St. to a point of intersection with the West margin of SE 240th Street, to a point of intersection with the South margin of SE 240th Street, with the West margin of 116th Ave SE; thence Southerly along the West margin of 116th Ave SE to the

Exhibit 'A'
Page 1
North line of the Northeast quarter of the Southeast quarter of said Section 20; thence West along the North line of the Northeast quarter of the Southeast quarter of the Southeast quarter of said Section 20, to the Northwest corner thereof; thence South along the West line of the Northeast quarter of the Southeast quarter of the Southeast quarter of said Section 20, to the Southwest corner thereof; thence North 88°40'17" W to the Northeast corner of Lot 1 Jacobsen’s Third Addition, as recorded in Volume 78, Plats page 75 Records of King County Washington; thence West along the North line of said Lot 1 to the Northwest corner thereof, also being the Northeast corner of Lot 9 of said addition; thence South along the East line of Lots 9, 8, 7, 6 and 5 of said Addition to the Southeast corner of said Lot 5; thence West along the South line of Lot 5 of said Addition a distance of 7 feet; thence South parallel with the East line of the Southwest quarter of the Southeast quarter of said Section 20, to the South line of said Section 20; thence West along the South line of said Section 20, to the Southwest corner of the East half of the Southwest quarter of the Southeast quarter of said Section 20, to the Northeast corner thereof; thence East along the North line of the East half of the Southwest quarter of the Southeast quarter of said Section 20, to the Northeast corner thereof; thence East along the South line of the West half of the West quarter of the Northeast quarter of the Southwest quarter of said Section 20, to the South margin of S.E. 248th Street; thence West along said South margin to the East line of the Northwest quarter of said Section 20; thence North along said East line a distance of 30 feet more or less to the South line of the North half of said Section 20; thence West along the South line of the North half of said Section 20, to the Southwest corner of the Southwest quarter of the Northeast quarter of the Northwest quarter of said Section 20; thence North along the East line of the Southwest quarter of the Northwest quarter of said Section 20, to the North margin of S.E. 248th Street, also being the North line of the South 30 feet of the Northwest quarter of said Section 20, to the West line of the Northwest quarter of said Section 20, also being the East line of the Northeast quarter of said Section 19; thence continuing West along the North line of the South 30 feet of the Northeast quarter of said Section 19 to the True Point of Beginning, EXCEPT that portion lying within the above described area presently annexed to the City of Kent by City Resolution 897, said area being located in the Southwest quarter of the Northwest quarter of said Section 20.